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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/057,990

04/25/2002

Yechiel Roseman

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2508

7590

09/08/2004

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EXAMINER

HAMILTON, KIMBERLY Y

ART UNIT

PAPER NUMBER

2635

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

K.S.

# Office Action Summary

Application No.

10/057,990

Applicant(s)

ROSEMAN, YECHIEL

Examiner

Kimberly Hamilton

Art Unit

2635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13-20 is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-9 is/are rejected.
- 7) ☐ Claim(s) 5 and 10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5-16-2002.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

DETAILED ACTION

*Response to Amendment*

1. In regards to the amendments filed on June 14, 2004 of Application No. 10057990, the Examiner acknowledges amended claims 1, 2, 7, 8, 13 and 19, and the amended drawings of Fig. 8. The corrections of the drawings now comply with 37 CFR 1.84(p)(5). Regarding claims 1-4 and 6-9, the 35 U.S.C. 102(b) rejection under Kaish (US 4494114) still stands. However, as a result of the cancellation of claims 11 and 12, claims 19 and 20 are now allowable subject matter by default.

*Response to Arguments*

2. In respect to the Applicant's arguments filed on June 14, 2004 with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection. However, the objections to claims 5 and 10 still stand.

*Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3 and 6-8 are rejected under 35 U.S.C. 102(b) as being unpatentable by Hall (US 5156198).

Regarding claims 1, 3, 6 and 7, Hall, who teaches a pump lock fuel system, expressively discloses a body (read as vehicle) that has an electrical chip 37 (read as vehicle computer, col. 2, lines 49-52). In addition, the electrical chip 37 communicates to the electrical device (read as fuel pump) via the coils 32, 33 (from the interior of the tank filler pipe 31) and coils 35 and 36 on the exterior of the dispensing hose 45, which is coupled to the electrical device 46, in order to transmit vehicle identification information

(col. 2, lines 25-34 and col. 3, lines 7-17). Moreover, Hall, teaches an electrical device 46 (read as fuel pump that comprises electrical chips 35 and 36), which is coupled to a computer 38. Moreover, Hall teaches that the removal of the electrical device 46 from the body (vehicle) causes an electrical interruption, which results in the disablement of the electrical device 46 (col. 3, lines 48-55). The electrical device 46 is electrically coupled to the body (vehicle) via the nozzle 34, which is inserted into the tank filler pipe 31; henceforth, the electrical device 46 is enabled only while on the vehicle in that communication between the vehicle computer 37 and pump computer 38 are established (col. 3, lines 48-55).

Regarding claims 2 and 8, Hall teaches the electrical device 46 with a microprocessor inside of the computer 15 that reads/receives information regarding the identification of the body (vehicle) via the coils 32 and 33, which obtain information from the vehicle computer 37 (col. 2, lines 35-55).

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hall in view of Lundberg (US 6349727).

Regarding claims 4 and 9, Hall teaches electric chip 37 is fixed on the body (vehicle), and the electric device 46 has electric chip 38 that are placed onto the body (vehicle), and the external communicator of the fuel pump, thus being the nozzle with the communication coils 35 and 36, can be removed (col. 2, lines 49-52 and col. 3, lines 53-55). However, Hall does not teach the electrical chips as being irremovable.

However, Lundberg, who discloses irremovable fastener, discloses a fastener that has removal prevention means comprising outward shoulders (col. 2, lines 9-13 and Fig. 1). It would have been obvious to modify the electrical chip of Hall to have the embodiment as Lundberg suggests, because Hall discloses the chip as being able to inserted and removed by the user, and Lundberg teaches a device that is inserted and cannot be removed, which can be a great benefit for a vehicle anti-theft system.

### *Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Ando (US 6285076) teaches a press connection semiconductor device that consists of a printed circuit board (PCB) that is of a U-shaped configuration.
- Baek et al. (US 6326686) teaches a vertical semiconductor device package that has a PCB that is of a U-shaped configuration as a means to assist with the dissipation of heat within the electrical device.
- Tatewaki et al. (US 6402354) teaches an indirect lighting system for the interior of a vehicle, and the system consist of a PCB that has electrical chips mounted on it.
- Gottlieb (US 6078256) teaches a dead-bolt monitoring unit that has an electrical chip (being the RF transmitter) inside of the bolt unit.
- Haimovich (US 6116298) teaches a wireless system for authorizing and monitoring fuel delivery.
- Lundberg (US 6394727) teaches a fastener with a pyramid head to prevent removal.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly Hamilton whose telephone number is 703.305.8975. The examiner can normally be reached from Monday – Friday between the hours of 7am - 3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on 703.305.4704. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kimberly Hamilton  
Examiner  
Art Unit 2635  
23 August 2004

KYH

MICHAEL HORABIK  
SUPERVISORY PATENT EXAMINER  
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